MARK-UP AMENDMENT IN RESPONSE TO OFFICIAL ACTION
MAILED DECEMBER 2, 2003
Serial No. 09/883,590
In re application of: Renee FRENGUT
Filed: June 18, 2001
For: INTERNET BASED QUALITATIVE RESEARCH METHOD AND SYSTEM

IN THE WRITTEN DESCRIPTION

Please delete the paragraph which starts on line 1, page 3 and ends on line 15, page 3 and replace with the following:

A number of companies have attempted to replicate the qualitative research experience over the Internet. However, to date, prior art attempts have been unsuccessful. None of the Internet based market research studies have created a virtual market research study or a virtual communication facility. [Often times, the video stream is slow, the picture quality is poor, and] [m]More often than not the benefits of qualitative market research studies have been compromised. For example, many existing Internet based qualitative market research studies are conducted using on-line chat, whereby moderators and participants communicate through keystrokes. However, this question and answer format eliminates participant body language and facial expressions from the market research study. Another, prior art attempt involves taping a study in progress and transmitting the signal to the sponsoring client across the Internet or phone lines. One problem with this type of focus group is that participant and moderator travel costs and time are not alleviated. Participants still must travel to get to the focus group study and consequently middle to small town size participants will be at large absent from the study. Some examples of these Internet based prior art techniques include: greenfield online; harris interactive; and e-focus groups, each of which has a ".com" address,

and activegroup which has a ".net" address [www.greenfieldonline.com;

www.harrisinteractive.com; and www.activegroup.net; and www.e-focusgroups.com.]

Please delete the following three consecutive paragraphs: (1) the paragraph which starts on line 17, page 9 and ends on line 5, page 10 of the specification; (2) the paragraph which starts on line 6, page 10 and ends on line 18, page 10 of the specification; and, (3) the paragraph which starts on line 19, page 10 and ends on line 18, page 11 of the specification and replace with the following:

Figure 1a represents an exemplary flow diagram depicting the enrollment process for a general population sample 100 in accordance with a preferred embodiment of the present invention. In step 102, the potential candidate logs onto the Web site hosting the qualitative study. In step 104, the potential candidate enters demographic information such as, but not limited to, geographical location, profession, education, salary, age, gender, political affiliation, etc. In step 106, the potential candidate is trained so that the potential candidate is accustomed to the virtual focus group environment. For instance, one embodiment instructs the potential candidates on how market research studies are conducted and how each party participates. In step 108, follow-up potential candidate interviews are conducted on an as-needed basis should a sponsoring client wish to obtain further information in an effort to finalize the study's candidate pool.

Figure 1b represents an exemplary flow diagram depicting the enrollment processes for proprietary corporate/membership population samples 150 in accordance with one embodiment

of the present invention. In step 152, market research candidates are accumulated from various pre-existing databases such as, but not limited to, customer lists, subscriber membership lists, and Web site visitors. In step 154, the market research potential candidate pool is freshly solicited such as through e-mail, direct mail advertisements, and new Web site visitors all of whom are finally selected via a direct telephone call. In step 156, market research candidates who qualify for the participant pool are sent a participating package. This participating package includes an audio/video capturing device, software for conducting the virtual focus group, and instructions on how to use both the software and the audio/video sensing mechanism. In step 158, proprietary interviews are conducted amongst market research potential participants and the moderator. Should the sponsoring client request further information from a potential participant, they may communicate directly and privately to the moderator via a private chat screen for additional probing and/or follow-up proprietary interviews [are] can be conducted in step 162. [The proprietary follow-up interview environment conducted in step 162 generally consists of a one-on-one or group "chat room" setting.]

Figure 2 represents an exemplary flow diagram depicting the process involved in conducting a qualitative study 200 in accordance with one embodiment of the present invention. In step 212, a market research study is initiated amongst the moderator, the candidates, and often an observing, sponsoring company. First, in step 214, the moderator logs onto the Web site hosting the particular market research study using a special market research ID and pass code. During the same time period, in step 202, the market research

candidates and participants log onto the Web site hosting the market research study with the participant's own market research ID and pass code. The market research participants comprise a reduced first portion of the set of candidates. After both the market research participants/candidates and moderator have logged on in steps 214 and 202, the moderator in step 208 is asked in step 208 whether or not the moderator wishes to conduct a preliminary interview with anyone. If so, in step 258 an interview is conducted. If not, the study continues with step 216. In step 216, both the moderator and the market research participants are presented with multiple screens in which audio/video images of the moderator and market research participants are displayed. While the moderator has an audio/video image of each market research participant, the market research participant has an audio/video image of themselves, the moderator, and [potentially even] audio/video images of other participants and their responses. In step 218, a stimulus which represents the product or service the sponsoring company wishes to evaluate is displayed to the participants by the moderator. The stimuli can be, but is not limited to, products, packaging, photos, concept statements, illustrations and/or commercials and full motion videos. After the market research participants are shown the stimulus in step 218, they are asked to submit responses to the stimulus in step 242. The responses are captured for analysis in a database and automatically e-mailed to the sponsoring clients with participant identification, providing the client with immediate feedback of the participants' responses.

1. (Once Amended) In a programmed computer, a method for dynamically selecting a set of candidates over a distributed computer network for inclusion in a market research group, comprising, the steps of:

(a) acquiring market research data on potential candidates, the potential candidates connecting to the programmed computer across the distributed computer network;

(b) evaluating the acquired market research data against a template;

(c) selecting a set of candidates in response to the evaluating step, the set of candidates being fewer than the set of potential candidates and being selected to fit the template in accordance with a predefined preference;

(d) permitting additional market research data from additional potential candidates to be acquired across the distributed computer network; and

(e) repeating steps (b) through (d), so that

the permitting step [continually] acquires market research data until a time certain, the evaluating step [continually] evaluates the market research data at one or more given times which occur before the time certain, and the selecting step dynamically selects the set of candidates so as to [optimally] fit the predefined preference at [a] each given time and optimally fit the predefined preference at the time certain.

8. (Once Amended) The method as in claim [7] 6, wherein the comparing step is performed throughout the market research study to verify participant presence.

12. (Once Amended) A method for conducting a market research study from a host

machine over a distributed computer network, comprising, the steps of:

selecting a set of candidates to participate in a market research study, the set of candidates being fewer than all candidates and being selected so as to fit a predefined preference of a template at each of one or more given times and being selected so as to optimally fit the predefined preference at a time certain which occurs after the given times;

inviting [a] the set of candidates to [a] the market research study conducted during a predetermined time interval and conducted over a distributed computer network, wherein the candidates access the host using a respective user machine interface having an audio/video captive mechanism connected thereto;

initiating audio/video communication between the host and the user machines with at least a set of participants comprising a first portion of a set of candidates, during the predetermined time interval in substantially real time;

exhibiting a stimulus to the participants; and

accumulating participant responses to the stimulus over the distributed network at the host.

19.   A system for dynamically choosing a market research group in accordance with a prescribed research directive of a market research study over a distributed computer network, the market research group having a set of candidates, comprising:

a potential candidate database filled with acquired market research data of the potential candidates;

a template populated with a predefined preference of potential candidates in accordance

with the prescribed research directive of the market research study; and

a processor evaluating the acquired market research data in accordance with the predefined preference <u>so as to fit the predefined preference at each of one or more, given times</u> and optimally selecting candidates in response to the evaluation <u>at a time certain which occurs after the one or more given times</u>.

20.   (Once Amended) The system for dynamically choosing a market research group as in claim 19 wherein the potential candidate database [continuously] fills <u>until the time certain</u> and the processor [continuously] evaluates <u>at each of the one or more given times</u>, dynamically selecting the candidates to optimally fit the predefined preference at [a given] <u>the time</u> <u>certain</u>.

21.   (Once Amended) A system for conducting a market research study over a distributed computer network, comprising:

<u>a processor configured to select users to participate in a market research study at a given time in accordance with a predefined preference stored in a template and which at a time certain selects users in accordance with a best fit of the predefined preference to ensure an optimal set of users;</u>

a moderator device having distributed computer network access, an audio/video recording mechanism, and an input mechanism wherein moderators submit stimulus to users selected by the processor across the distributed computer network;

a user device having distributed computer network access, an audio/video recording mechanism, and an input mechanism wherein users submit market research responses in

response to the moderator's submitted stimulus; and

a host machine communicating over the distributed computer network and having a database accumulating user responses to the moderator's submitted stimulus, a processor evaluating user responses, and an engine outputting market research results.

27.   (Once Amended) In a programmed computer, a method for dynamically modifying a template used to select a set of candidates over a distributed computer network for inclusion in a market research group, comprising, the steps of:

(a)   acquiring template data concerning potential candidates;

(b)   modifying the template using the acquired template data;

(c)   evaluating the potential candidates against the modified template;

(d)   selecting a set of candidates in response to the evaluating step, the set of candidates being fewer than the set of potential candidates and being selected to fit the modified template; and

(e)   repeating steps (a)-(d) such that the selecting step dynamically selects the set of candidates that fit [optimally fits] the template at [a] one or more given times [time] in accordance with a predefined preference stored in a template and which at a time certain, which occurs after the one or more given times selects users in accordance with a best fit of the predefined preference to ensure an optimal set of candidates.

29.   (Once Amended) A method as in claim 27, the potential candidates [continually] received over the distributed computer network until the time certain and used in the evaluating step.

30.   (Once Amended) A method as in claim 28, the potential candidates [continually] received over the distributed computer network until the time certain and used in the evaluating step.